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C O N F I D E N T I A L SECTION 01 OF 02 OTTAWA 001322

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STATE FOR INL (CARROL); DOJ FOR OFFICE OF INTERNATIONAL AFFAIRS (BURKE); WHITE HOUSE FOR ONDCP (BAUM)

E.O. 12958: DECL: 05/08/2013

TAGS: [SNAR](#) [PREL](#) [KRIM](#) [CA](#)

SUBJECT: CANADA: DECRIMINALIZATION OF SMALL AMOUNTS OF MARIJUANA

Classified By: Pol MC Brian Flora for reasons 1.5 (b) and (d).

1. (C) Summary: On May 7, poloffs were briefed by Terry Cormier, Director of DFAIT's International Crime and Terrorism Division, and Kevin O'Shea, Director of DFAIT's United States General Relations Division, on the Canadian government's plans to decrease legal sanctions for the possession of small amounts of marijuana. Cormier stressed that the government will not propose "legalizing" marijuana, and that possession will remain illegal in Canada. He also indicated the government's marijuana proposal would be part of a broad national drug control strategy that will include studies on drug consumption, addiction, and drug treatment programs. Cormier said Minister of Justice Cauchon plans to travel to Washington next week to preview more formally the GOC's plans to appropriate USG officials. End summary.

2. (C) The government of Canada is expected to ask the House of Commons shortly to approve a bill that will decriminalize the possession of small amounts of marijuana. In a briefing for poloffs on May 7, Director Cormier indicated the bill would not provide for the legalization of marijuana, although he acknowledged that this may be the public perception. Cormier said that possession of even small amounts of marijuana would continue to be illegal. The bill will propose that when a person is caught in possession of a small amount of marijuana, the marijuana will be seized and the person ticketed and ordered to pay a fine. Although a 2002 report by the Canadian Senate recommended the complete legalization of marijuana, Cormier emphasized that this is not the route the government will take.

3. (C) Cormier said that a principal reason behind the decriminalization proposal is the very uneven enforcement of current marijuana sanctions. Persons caught with small amounts of marijuana in Canada's urban areas are usually not arrested or charged because of the heavy burden prosecution of these cases would place on police and the court system. In Canada's smaller cities and rural areas, on the other hand, possession of small amounts of marijuana often results in arrest and prosecution. Cormier noted that the issue of decriminalization has been under consideration by the government for a long time, and has been thoroughly studied by committees of both the House and Senate. He argued there is no evidence that more liberal possession laws lead to increased marijuana usage. Citing studies of marijuana use in the Netherlands, Cormier said the expectation is that decriminalization will eventually result in a decrease, not an increase, in marijuana consumption.

5. (C) Cormier further noted that the decriminalization proposal will be part of a broad national drug strategy, which will address issues such as drug consumption, addiction, and treatment programs. The national drug strategy will have two principal goals: first, to reduce drug consumption among young people; second, to redirect law enforcement resources away from personal possession cases and towards stopping drug traffickers. The government is considering proposing stricter penalties on persons who cultivate and distribute marijuana as part of its national drug strategy, but Cormier did not give details.

6. (C) It is not certain exactly when the bill will be introduced, but it could be as soon as two weeks from now, or perhaps not until June. Cormier described only in broad terms what the bill would include and was vague on details. For example, he did not disclose what quantity of marijuana will be subject to the decreased sanctions. Cormier indicated that Justice Minister Cauchon plans to travel to Washington next week (possibly May 14) to outline the government's drug proposal for U.S. government officials, and asked our help in identifying appropriate offices and individuals for Cauchon to visit. (Note: Cauchon has reportedly already been in contact with Secretary Ashcroft about this visit.)

7. (C) Cormier also touched briefly on the subject of precursor chemicals. He stressed the government of Canada "wants to work together" with the U.S. on this problem and said Canadian law enforcement "has been sharing everything" with us. Precursors are an agenda item for the next Cross Border Crime Forum, scheduled for May 21 in West Virginia.

18. (C) Comment: The GOC clearly wants to begin managing the negative reaction to decriminalization it expects from the United States. Cormier emphasized that possession of even small amounts of marijuana will remain illegal in Canada. He cited polls showing that 70 percent of Canadians approve of at least partial decriminalization of marijuana and asserted the government's proposal will be "less radical" than the current marijuana laws in some U.S. states (he cited Ohio for an example). The GOC intends to proceed with its decriminalization proposal in the very near future, but will try to minimize the impact of this action on our overall bilateral relationship. End comment.  
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